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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/428,813	10/28/1999	SAMI INKINEN	297-008970-U	5161

7590 05/12/2003

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PERMAN & GREEN  
425 POST ROAD  
FAIRFIELD, CO 06430

EXAMINER

KUMAR, PANKAJ

ART UNIT	PAPER NUMBER
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2631

DATE MAILED: 05/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/428,813

Applicant(s)

INKINEN ET AL.

Examiner

Pankaj Kumar

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 February 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6 and 7 is/are allowed.
- 6) ☒ Claim(s) 1-5, 8-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.
2. Applicant argues that Charlton and Erkkila both do not have wireless RF since they are connected to a telephone.
3. Applicant also argues that Erkkila does not have a controller connectable to a general purpose device. Applicant also argues that Charlton does not have a controller connectable to a general purpose device since a camera is not a general purpose device.
4. Arguments with respect to Charlton are respectfully traversed. Charlton discusses portable wireless RF modem programmed to function as a pager in col. 1 lines 64 to 66. As per the telephone, Charlton in col. 2 lines 43 to 45 discusses using a modem with a telephone in order to perform paging. Charlton has already discussed a portable wireless RF modem as discussed above. Thus, the portable wireless RF modem, which is an electronic device, can interface the system to the telephone line.
5. Also, it has been held that making an old device portable (i.e. going from wired to wireless) or movable without producing any new and unexpected result involves only routine skill in the art. In re Lindberg, 93 USPQ 23 (CCPA 1952).
6. As per arguments to a controller connectable to a general purpose device, Charlton shows in fig. 4, the microprocessor element 54 functioning as a controller to control various devices such as a modem, clock, switch, alarm, memory, screen, keyboard, and accordingly general purpose device. Also, the microprocessor, which is a controller, is connected to Charlton's

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system which is a general purpose device since it can do many things and accordingly, Charlton does teach a controller connectable to a general purpose device.

7. Arguments with respect to Erkkila are also respectfully traversed. Erkkila does not only relate to wired technology since Erkkila discusses pager through a mobile communication system (title of Erkkila) and discusses RF with the antenna as shown in fig. 5.

8. As per arguments to a controller connectable to a general purpose device, Erkkila shows many components in figs. 5, 6 and 7 and hence the CPU in fig. 5 is a controller connectable to the remainder of fig. 5 which is a general purpose device since it can do many things (audio, display, user interface, memory storage, DSP, etc.) In figs. 6 and 7, the element 69 is an expansion card which can inherently connect and thus expand to do many things.

### ***Response to Amendment***

#### ***Claim Rejections - 35 USC § 112***

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. Claims 8, 11 and 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

11. Claims 8, 11 and 12 recite the limitation "the data communication device". There is insufficient antecedent basis for this limitation in the claim. All three claims begin with "A communication device" and they should probably begin with 'A data communication device'.

*Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2, 3, 4, 5 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Charlton USPN 5929774.

3. As per claim 1, Charlton teaches a method for wireless data communication between a wireless device (Charlton: inherent for there to exist a device which sends a page since it is being received by Charlton's pager), having means for short-range data communication, and an electronic device (Charlton fig. 1), the method comprising: mounting a data communication device having means for short-range wireless data communication in a general purpose expansion memory location (Charlton fig. 5: 58, col. 6 lines 34 to 35) of the electronic device; activating a short-range wireless data communication link between the wireless device and the data communication device; and transmitting data between the data communication device and the wireless device (Charlton: Abstract says it is a pager) (also see response to arguments above)

4. As per claim 2, Charlton teaches a method according to claim 1, wherein in order to enable the data transmission from the electronic device to the wireless device the following method steps are performed after the installation of the data communication device and before the activation of the data communication link: inputting data to the electronic device (Charlton:

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data is input into the pager); and processing the data in the data communication device installed in an expansion memory location (Charlton: a second Charlton pager can receive a page). (also see response to arguments above)

5. As per claim 3, Charlton teaches a method according to claim 2, wherein the data processing in the data communication device is made by instructions from the electronic device (Charlton: pager's message is processed and the visual or acoustical sounds of the second pager are made based on information from the other pager). (also see response to arguments above)

6. As per claim 4, Charlton teaches a method according to claim 1, wherein the data communication between the data communication device and the wireless device is made over a low power radio frequency (LPRF) link. (it is well know that pagers transmit data via RF and require only one or a few watts and thus it is low power) (also see response to arguments above)

7. As per claim 5, Charlton teaches a method according to claim 1, wherein the data communication between the data communication device and the wireless device is made on the basis of instructions given by the wireless device (Charlton: if the pager wants to transmit data, then data communication will proceed). (also see response to arguments above)

8. As per claim 8, Charlton teaches a communications device for wireless data communication between a wireless device, which has means for a short-range data link, and an electronic device, the data communication device comprising: a controller connectable to a general purpose interface of an expansion memory location of the electronic device, for controlling the operation of the data communication device, a short-range radio frequency wireless data communication unit and a short range radio frequency antenna (Charlton: inherent

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for antenna to exist for sending and receiving pages) for data communication; and a memory for storing the communicated data. (remainder discussed above)

9. Claims 8, 9 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Erkkila et al. USPN 6219560B1

10. As per claim 8, Erkkila teaches a communications device for wireless data communication between a wireless device (Erkkila: title: inherent for there to exists multiple mobile communication devices), which has means for a short-range data link, and an electronic device, the data communication device comprising: a controller connectable to a general purpose interface of an expansion memory location of the electronic device (Erkkila figs. 6, 7: 69), for controlling the operation of the data communication device, a short-range radio frequency wireless data communication unit and a short range radio frequency antenna for data communication (Erkkila fig. 5: antenna from 59); and a memory for storing the communicated data (Erkkila fig. 5: 53). (also see response to arguments above)

11. As per claim 9, Erkkila teaches a data communication device according to claim 8, wherein the controller of the data communication device comprises: a serial to parallel converter (Erkkila fig. 6, 7: 68) for converting parallel mode information of the memory into serial mode used by the short-range data communication unit, and correspondingly the serial mode information into the parallel mode; a splitter for connecting a parallel mode write and read connection of the memory alternatively to the interface of the expansion memory location of the electronic device or to the serial to parallel converter for a short-range data communication link (Erkkila fig. 5, 6: output of 68 splits via other components into 63, 69, or 60 or other

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components); and a microcontroller for controlling the serial to parallel converter and the splitter (Erkkila fig. 6, 7 cntrl, cntrl3). (also see response to arguments above)

12. As per claim 10, Erkkila teaches a data communication device according to claim 8, wherein the short-range data communication unit is an LPRF unit. (it is well know that pagers transmit data via RF and require only one or a few watts and thus it is low power) (also see response to arguments above)

***Allowable Subject Matter***

13. Claims 6 and 7 are allowed. See prior action for details.

14. Claims 11 and 12 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action. See prior action for details.

***Conclusion***

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,



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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pankaj Kumar whose telephone number is (703) 305-0194. The examiner can normally be reached on Monday through Thursday after 8AM to after 6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi H. Pham can be reached on (703) 305-4378. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800.

PK  
May 7, 2003

  
CHI PHAM  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600 5/9/03